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2006 MAY 19 A 9:41
U.S. DISTRICT COURT
DISTRICT OF MASS.*

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-----X
PAUL T. PAPADAKIS,
:
PLAINTIFF
:
VS.
:
CSX TRANSPORTATION,
:
DEFENDANT
-----X

CIVIL ACTION
NO.: 04-30189-MAP

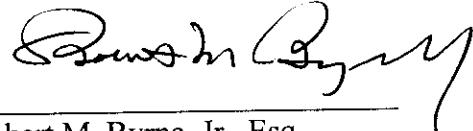
MOTION FOR NEW TRIAL DATE

Now comes the Plaintiff and respectfully moves the Court for an Order rescheduling the trial of the above matter from the current trial date of October 4, 2006 to a date after November 1, 2006.

The parties appeared at the Final Pre-Trial Conference on April 24, 2006, and mutually agreed to a trial date of October 2006. The parties were also directed to report to the Court by May 15, 2006 if they elected to trial before Magistrate Judge Neiman. The parties were informed Magistrate Judge Neiman would re-visit the trial date schedule subject to his calendar, if this election was made. After reporting the forgoing to Mr. Papadakis, he reminded counsel that his daughter's wedding is scheduled for October 2006. Counsel delayed approaching the Court concerning the conflict sooner in the expectation that the matter would be referred to Judge Neiman and the conflict would be resolved by his rescheduling.

Unfortunately, the Defendant has not advised Plaintiff if it is willing to trial with Magistrate Judge Neiman. Consequently, the Plaintiff asks the Court for relief from the current trial date with a new trial date after November 1, 2006.

Respectfully Submitted,



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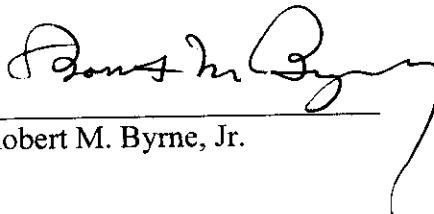
CERTIFICATE OF SERVICE

I, Robert M. Byrne, Jr., hereby certify that on May 18, 2006, I served a copy of upon the defendant by mailing, first class, postage prepaid, to:

Michael B. Flynn, Esq.
Flynn & Associates, P.C.
400 Crown Colony Drive, Suite 200
Quincy, MA 02169

May 18, 2006

DATE



Robert M. Byrne, Jr.